

EXHIBIT 13

Samantha Wolff

From: Samantha Wolff
Sent: Monday, April 17, 2017 4:04 PM
To: Tiffany L. Bacon; Patrick Au; Lital Ruimy; Alison Hurley
Cc: Kurt A. Franklin; 'Victor Otten'; Ambra S. Jackson; Ann D. Ghiorso
Subject: RE: Lunada Bay - Discovery follow-up
Attachments: 2016-12-29 DEF Sang Lee_s Privilege Log.pdf; 2016-12-19 DEFT Charlie Ferrara Responses to PLTF Spencer RFPD - Set One....pdf; 2016-12-19 DEFT Frank Ferrara Responses to PLTF Spencer RFPD - Set One.pdf

Tiffany,

I understand that you and Ms. Hurley are new to this case but your office is not. I have corresponded with your predecessors approximately four or five times on this issue since January (but never received an answer). It is difficult to meet and confer when your office has not responded to my attempts to do so. That said, I would appreciate resolution of this issue and can make myself available for a phone call this week. I am available all day tomorrow, Thursday from 11-12 and 1:30-4 and Friday from 9-10 or 2-3. Please let me know what time works best for you.

I previously provided Ms. Bell with a courtesy copy of the privilege log (and the service list indicates your office received a copy) but am attaching another copy here per your request. With respect to the requests for production of documents (also attached), I am specifically inquiring about Request Nos. 4, 5, 7, 39 and 40. These requests seek, among other things, cell phone bills and records of text messages and phone calls with other co-defendants and those who regularly surf at Lunada Bay. As you can see from Mr. Lee's privilege log, Messrs. Frank and Charlie Ferrara texted with and called Mr. Lee on a number of occasions. These communications would certainly be responsive to these requests, yet neither Charlie nor Frank Ferrara has produced a single document in response to these requests.

I look forward to speaking with you regarding these issues.

Sincerely,
Samantha

From: Tiffany L. Bacon [mailto:tbacon@bremerwhyte.com]
Sent: Monday, April 17, 2017 12:24 PM
To: Samantha Wolff <SWolff@hansonbridgett.com>; Patrick Au <pau@bremerwhyte.com>; Lital Ruimy <lruimy@bremerwhyte.com>; Alison Hurley <ahurley@bremerwhyte.com>
Cc: Kurt A. Franklin <kfranklin@hansonbridgett.com>; 'Victor Otten' <vic@ottenlawpc.com>; Ambra S. Jackson <AJackson@hansonbridgett.com>; Ann D. Ghiorso <aghiorso@hansonbridgett.com>; Tiffany L. Bacon <tbacon@bremerwhyte.com>
Subject: RE: Lunada Bay - Discovery follow-up

Samantha,

As you are aware, Ms. Hurley and I have recently filed our notices of appearance in this matter. It is our understanding the only correspondence you have sent to our offices on this issue was your March 21st email (in which we were not included), on which you are only now following up. We have received no letter from you requesting a conference or telephone call on this issue.

The local rules of the Central District require a formal conference between the parties prior to seeking any relief from the court. No such conference has been requested by you or any other counsel on behalf of the Plaintiffs. There has been no meet and confer in good faith to resolve this issue. As such, a call with the Magistrate judge is inappropriate at this time

until we sufficiently meet and confer on this issue. Ms. Hurley and I are available this week for a call with you to discuss. Please let us know when you are free.

Moreover, you do not identify which November 11, 2016 discovery request you are referring to in your recent email so that we can respond accordingly. Additionally, we do not have possession of the privilege log apparently produced by Defendant Sang Lee in this action. Please provide us with a courtesy copy of this document so that we may better address your demands.

Please let us know when you are available this week so that we can discuss the foregoing issues.

Thank you,

Tiffany L. Bacon

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From: Samantha Wolff [<mailto:SWolff@hansonbridgett.com>]
Sent: Friday, April 14, 2017 2:55 PM
To: Patrick Au; Lital Ruimy; Alison Hurley; Tiffany L. Bacon
Cc: Kurt A. Franklin; 'Victor Otten'; Ambra S. Jackson; Ann D. Ghiorso
Subject: RE: Lunada Bay - Discovery follow-up

Dear counsel,

Please provide your availability for a call with the Magistrate next week. I never received a response to my email below, and more importantly, we never received any responses to the below-referenced interrogatories.

Additionally, several months ago I asked Ms. Bell to let me know whether your clients would be providing copies of their phone bills and text messages in accordance with our November 11, 2016 discovery request. Although your clients stated that they do not possess any documents in response to these requests, not only do they have access to their phone bills (and are thus obligated to produce them), but they also have communicated with co-defendants in this matter (as demonstrated in Sang Lee's privilege log which references text messages between these co-defendants). These communications must be produced, and we will therefore also seek the Magistrate's assistance in this regard.

Thank you.

Sincerely,
Samantha

From: Samantha Wolff
Sent: Tuesday, March 21, 2017 3:37 PM
To: 'pau@bremerwhyte.com' <pau@bremerwhyte.com>; Eileen Gaisford (egaisford@bremerwhyte.com) <egaisford@bremerwhyte.com>; Lital Ruimy (lruimy@bremerwhyte.com) <lruimy@bremerwhyte.com>
Cc: Kurt A. Franklin <kfranklin@hansonbridgett.com>; Victor Otten <vic@ottenlawpc.com>; Ambra S. Jackson <AJackson@hansonbridgett.com>; Ann D. Ghorso <aghorso@hansonbridgett.com>
Subject: Lunada Bay - Discovery follow-up

Dear Eileen,

I'm writing regarding Plaintiff Spencer's first set of interrogatories to Defendants Charlie and Frank Ferrara (consisting of one interrogatory to each defendant) served January 13, 2017, and Plaintiff Reed's first set of interrogatories to Defendant Frank Ferrara (consisting of 18 interrogatories) served February 1, 2017. We received no responses to any of these discovery requests, and certainly Defendants' opportunity to assert objections is now waived. Please provide responses to these interrogatories by Friday, March 24th. If your clients fail to do so, we will seek relief from the court.

Thank you for your anticipated cooperation.

Sincerely,
Samantha

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